

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
NOVEMBER 19, 2001 – 7:00 PM
J. NEWTON COHEN SR. ROOM, ADMINISTRATION BUILDING**

Present: Steve Blount, Chairman
Gus Andrews, Vice-Chairman
Arnold Chamberlain, Member
Frank Tadlock, Member
Leda Belk, Member

The County Manager, the Clerk to the Board, the County Attorney and the Finance Director were also present.

Chairman Blount called the meeting to order at 7:00 p.m.

Commissioner Chamberlain provided the Invocation and Commissioner Tadlock led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

- Commissioner Chamberlain requested to discuss some old business.
- Tim Russell, County Manager, requested a Closed Session to discuss the purchase of property.

COMMISSIONER LIAISON REPORTS:

Commissioner Andrews informed the Board of a SAFE (Safety Assessment For Emergencies) luncheon that was recently held at Rufty Holmes Senior Center. This program targets senior citizens and the disabled citizens in Rowan County to assist with safety devices such as smoke alarms, etc. Commissioner Andrews stated there is total support for the SAFE program throughout the county.

Commissioner Chamberlain informed the Board that he had recently taken a tour of the renovations for the new location of the Magistrate's Office and was very impressed with what is being accomplished in the limited space.

Commissioner Tadlock publicly thanked all those involved in resolving the Courthouse Security plan, specifically acknowledging the ABC Board, the Sheriff and county staff.

Commissioner Belk told the Board about a recent meeting with the Sheriff where she learned that the Grant funding for the Security position has been received and everything appears to be going "on track."

Chairman Blount passed a copy of an advertisement to the Board, which publicly thanked the Board of Commissioners for providing additional supply funds for use by the teachers.

CONSIDERATION OF THE CONSENT AGENDA:

Commissioner Andrews made a motion to approve the Consent Agenda as presented. Commissioner Chamberlain seconded and the motion carried unanimously.

The Consent Agenda consisted of the following:

Consideration Of Consent Agenda:

- A. Approval of the 11/05/2001 minutes.
- B. Approval of a unanimous road name petition for Morris Lane.
- C. Approval of a unanimous road name petition for Little Red Bird Lane.
- D. Approval to set a public hearing for the road name of Celestial Drive
- E. Approval to set a public hearing for modifications to CUP-14-99, a request from Progress Energy.
- F. Approval to pursue a \$10,000 grant for "Healthy Carolinians" from the Health Department.

PUBLIC HEARING FOR Z-25-01, RA TO IND FOR THE EXPANSION OF A LUMBER PLANING FACILITY, A REQUEST FROM CRONLAND LUMBER COMPANY:

Ed Muire, from the Planning Department, reviewed with the Board that this request was initiated by the Planning Board to rezone TP: 369-095 from RA to IND to allow the opportunity for Cronland Lumber Company to switch from a natural gas fired boiler to a wood waste fired boiler system for powering the adjacent dry kilns. Mr. Muire referenced the vicinity map in explaining this request and asked the Board to refer to the Staff Report for details.

Staff recommended the rezoning.

Chairman Blount opened the public hearing.

There being no one in attendance who wished to address the Board, Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to grant the rezoning request for TP: 369-095 from RA to IND. Commissioner Belk seconded and the motion carried unanimously.

PUBLIC HEARING FOR CUP-16-01, TO EXPAND A MOBILE HOME PARK, A REQUEST FROM RANDY GOODMAN:

Chairman Blount declared the public hearing for consideration of CUP-16-01 to be in session. This hearing focused on the conditional use application (Exhibit A) submitted by Intracarolina Development for expansion of Cedar Valley Manufactured Home Park. The property is zoned MHP and is depicted on Rowan County Tax Map 468C.

The Clerk swore in those that came forward to testify in this case.

Ed Muire reviewed the Staff Report (Exhibit B) and presented a background summary stating that the property was originally designed as a 104-lot subdivision and the construction of the existing phase consisted of 51 lots and the roads are built to NC DOT standards. Mr. Muire referenced a survey map (Exhibit C) for this property and discussed the Conditional Use Review.

Staff recommended approval with the suggested findings of fact.

Commissioner Chamberlain asked if the request was for Phase I and Phase II. Mr. Muire responded that that both phases are recommended for approval.

There being no further comments, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to approve the request as recommended by staff including the suggested findings of fact. Commissioner Andrews seconded and the motion passed unanimously.

The **FINDINGS OF FACT** were stated as:

1. The proposed expansion and its improvements ensure the public health, safety and general welfare of the park inhabitants and surrounding area are adequately protected as evidenced by the substantial and competent evidence contained in the Staff Report.
2. Based upon the material evidence (site plan) accompanying the Staff Report, the proposed expansion upon completion, will comply with the purpose and intent of the general development standards for manufactured home parks.

PUBLIC HEARING FOR Z-29-01, ZONING TEXT AMENDMENTS FOR NON-CONFORMING USES:

Marion Lytle, from the Planning Department, discussed the staff review with the Board clarifying the amendments for non-conforming uses. Mr. Lytle explained a rezoning case, involving Matlock's Used Auto Parts, for the construction of additional buildings. Many speakers at the public hearing expressed objection to the rezoning but not to the construction of the buildings. Mr. Matlock agreed to postpone consideration of the rezoning to allow the Planning Board an opportunity to consider modifications to existing non-conforming use standards. A Planning Board committee met with the goal to create fair and reasonable guidelines to help reduce inappropriate rezoning and spot zoning and make the new standards more equitable for all involved. The proposed process treats all legal non-conforming uses equally. The Planning Board voted for a favorable recommendation.

Commissioner Andrews asked for clarification if a business could expand within the property but could not expand to additional property. Mr. Lytle stated that was correct.

Chairman Blount opened the public hearing.

There being no one who wished to address the Board, Chairman Blount closed the public hearing.

Commissioner Chamberlain asked Mr. Lytle if there were any problems with these concerns coming directly to the Board of Commissioners instead of to the Zoning Board of Adjustments (ZBA). Mr. Lytle stated he saw no problems with this change.

Commissioner Andrews made a motion to approve the text amendment as presented with the change of substituting the Rowan County Board of Commissioners anywhere that the ZBA was used in the document. Commissioner Tadlock seconded and the motion passed unanimously.

PUBLIC HEARING FOR CUP-27-01 TO ESTABLISH A CAMPGROUND, A REQUEST FROM JOSEPH KEENER:

Chairman Blount declared the public hearing for CUP-27-01 to be in session and stated that the application (Exhibit A) is from Joseph Keener and is to establish a campground at 309 Harris Point Road.

The Clerk swore in those that came forward to provide testimony in this case.

Marion Lytle reviewed with the Board the Staff Report (Exhibit B) including the Background and the Staff Findings and Recommendations. Mr. Lytle referred to pictures (Exhibit C) of the area stating that this site was a clean area and well maintained.

Mr. Lytle told the Board that staff received a report from Building Inspections that a campground had been started at 309 Harris Point Road, which also contains two ponds and operates as a carp lake. Staff visited the site and informed Mr. Keener that grading on the site was in violation of erosion control standards and zoning regulations because of the newly established campground. The primary clientele to the site are contract maintenance workers for Buck Steam Plant.

Mr. Lytle reviewed the criteria in Article IV; Section 8 concerning campgrounds, emphasizing that Mr. Keener meets the minimum lot size and setbacks. Mr. Keener had a site evaluation approved for the 10 existing spaces, but no evaluation has been done for added sites. There is sufficient space for parking and screening is required if a residence is within 200 feet.

Mr. Lytle reviewed the specific criteria noting that Harris Point Road is an unpaved state maintained road designated for local traffic and connects to Long Ferry Road, which is classified as a minor thoroughfare. The campground could detract from the surrounding character. There were numerous reports of alleged illegal activity prior to the current operators of the site. Mr. Lytle presented a 911 Call Log (Exhibit D). Staff has received reports, in the past, of incidents of partying and loud music from the carp lake. The ten (10) existing sites appeared not to be visible, but the new sites would present some visibility and efforts have been made for screening at the area.

Mr. Lytle informed the Board that staff has met with the Keeners several time and while the Keeners have been cooperative with the County Planner, they have been somewhat less pleasant with other staff members.

Mr. Lytle told the Board that if this request is approved consideration should be given to the following:

1. Limiting the approval number of sites to ten (10).
2. The existing spaces be brought up to building code and environmental health standards.
3. A double row of Leyland Cypresses or similar evergreens be planted to block view of houses on Harris Point Road.
4. Noise generated (other than required for maintenance and construction or park) be unnoticeable at property line.
5. The applicant obtains a commercial driveway permit.

Commissioner Andrews asked Mr. Lytle to explain further about the county permitting process being circumvented. Mr. Lytle said that a well service had been used to pump water into the carp ponds from a well and the campsites were wired off this service, which is why no building permits were required. The waste disposal was put into a tank and hauled off the site and not approved.

Commissioner Chamberlain asked if Mr. Keener owned the ten (10) campers on the sites, to which Mr. Lytle responded that he did not think so.

Mr. Joe Keener of 309 Harris Point Road addressed the Board stating that he did not know so many people were upset, but he realized they were not in compliance and are now working to be in compliance and he will comply with what the county requires. Mr. Keener stated he was removing trees for more visibility for the road and added that most people seemed to be concerned about the road, which is state maintained, so he has no control over it. Mr. Keener stated that he has asked neighbors if they could hear the loud speakers and added that no one has had a problem with the fishing pond. Mr. Keener stated that he has twenty-three acres of land and does not want to devalue any property. Mr. Keener presented a book (Exhibit E) that showed site plans and pictures of the area and welcomed the Board to inspect the area.

Commissioner Andrews questioned Mr. Keener if he owned the property when the prior illegal activities took place, to which Mr. Keener answered he owned the fishing pond and the campground was not there at that time. Commissioner Andrews also questioned Mr. Keener as to why he was “less pleasant” with some staff members. Mr. Keener stated that he did not know, but he has learned his lesson and does not want a confrontation with his neighbors and staff.

Commissioner Chamberlain asked Mr. Keener who ran the carp pond when the illegal activity took place. Mr. Keener responded that his wife’s sister and husband were the operators. Commissioner Chamberlain also asked Mr. Keener why he did not go through the proper channels to establish the campground. Mr. Keener answered that his property was located “way back” and nobody knows what he does.

Chairman Blount officially opened the public hearing. Those that came forward to provide testimony were as follows:

The Clerk administered the oath to one more citizen.

1. Phillip Watson submitted and read a written statement (Exhibit F), which is attached, with pictures. Mr. Watson spoke in opposition to the request and emphasized the potential of adverse impacts of allowed nonresidential uses. Mr. Watson stated that the request would injure the value of surrounding property and destroy the peaceful and scenic harmony within the area. Mr. Watson asked the Board to deny the request.
2. Jackie Watson resides at 3715 Long Ferry Road, which adjoins the property. Ms. Watson stated that she purchased 3 ½ acres of property from the Keeners and at the time of the closing, the Keeners stated that they would not build on the remaining acreage that they own. Ms. Watson voiced concern over how could this benefit the public when the pond imposes a danger to children according to Ms. Keener.
3. Ellie Wood resides on the property and believes that she is the only person that can see the campground and she never hears or sees anything. Ms. Wood emphasized that the property is well maintained and quiet and she cannot even

hear the speakers from the carp pond when she is inside her house. Ms. Wood questioned what the state maintained road has to do with Mr. Keener.

4. Richard Cloer, a resident of 3665 Long Ferry Road, expressed his concerns about the waste being hauled off the site, the increased traffic, dust 15-20 feet in the air, and the road being too narrow. Mr. Cloer does not think that this is a beneficial or necessary request.
5. Terry Ingram lives at 3455 Long Ferry Road and spoke on behalf of the construction workers. Mr. Ingram expressed the “tremendous” benefit of staying at the campground, which is close to the job site since the workers work long days, six and seven days a week. Mr. Ingram said that due to the dry weather, there would be dust.
6. Ben Smith resides at 3735 Long Ferry Road and stated that he has no problem with the Keener’s campground and that the Keeners have placed four or five rows of pine trees at this location. Mr. Smith said that he did not have a problem with what goes on at the ponds and there is no loud noise.
7. Robert Thompson, who lives at 120 Harris Point, voiced his concerns about the traffic on the road and the need for the road to be graveled. The traffic is so bad that it is difficult to open windows. Mr. Thompson complained about the trash thrown in yards and the fear of these problems increasing.
8. Marvin Feezor, who resides at 355 Harris Point Road, expressed his biggest concern was for what would happen after Mr. Keener sales or moves out of this property. Mr. Feezor asked the Board to take this into consideration if the request is granted.
9. Elbert Wilson, who lives at 3825 Long Ferry Road, said that he was hearing a different Mr. Keener tonight from what he has known. Mr. Wilson said that Mr. Keener recently pulled dead carp out of the ponds and they were covered with “buzzards” for three or four weeks and eventually Mr. Keener covered them up. Mr. Wilson stated the Mr. Keener does what he wants and does not care about neighbors and asked the Board to deny the request.
10. Emerson Nance lives at 620 Harris Point Road and stated his concerns for the increase of traffic and the lack of respect for people that live on this road. Mr. Nance also spoke about the noise for the loud speakers.
11. Lisa Ingram lives 3455 Long Ferry Road and expressed to the Board that it was not true about the illegal actions at the carp pond. Ms. Ingram said that she has not heard the PA systems and there will be dust due to dry conditions.

Commissioner Chamberlain asked Ms. Ingram if she lived in one of the ten (10) units, to which she responded that she did not.

Mr. Keener responded to the comments made by the previous speakers that the dust was a major concern and he would do whatever he could. The ponds have operated since 1995 and Mr. Keener had no knowledge that people were being disturbed by noise. Mr. Keener added that he would be glad to put in buffers and is open for restrictions. Mr. Keener said that if he is permitted to establish the campground, he would consider eliminating the ponds, as far as a fishing establishment.

Commissioner Andrews questioned Mr. Keener about the noise since it was brought up many times during the public hearing and asked what was producing the noise. Mr. Keener responded that he sponsors tournaments and the fishermen are rewarded every hour with a buzzard going off and announcements made over the loud speaker.

Chairman Blount closed the public hearing and declared that the Board would now go into deliberation and no further comments would be accepted from the public.

Commissioner Andrews asked Mr. Lytle if the ten (10) sites do not meet county specifications for sewer and set up. Mr. Lytle said that is true, but Mr. Keener has applied for a driveway permit and also he has spoken with the Health Department. Commissioner Andrews also asked about buffering on Long Ferry Road. Mr. Lytle answered that he has spent most of his time on Harris Point Road and is not sure about the buffering on Long Ferry Road.

Commissioner Chamberlain asked if Mr. Keener could put in a subdivision to which Mr. Lytle stated that he could, but would need a permit and paved road. Mr. Lytle added that there is more traffic with a subdivision than with a campground.

Commissioner Tadlock asked about the septic tank and Mr. Lytle stated that Mr. Keener has applied for permits and has preliminary approval for the ten (10) sites.

Commissioner Belk asked what it would take to bring the campground up to standard. Mr. Lytle responded that Mr. Keener has received a preliminary approval on driveway permit and a septic tank system for the ten (10) sites. Mr. Lytle added that if Mr. Keener proceeds further, he would need approval from the Health Department and he would need to comply with building code standards for wiring.

Commissioner Andrews asked about the time frame involved in a camper becoming a permanent structure that would change the requirements. Mr. Lytle stated that there were no specific requirements for this in the ordinance, but this could be part of the approval process.

Commissioner Chamberlain stated that he did not want the campground to turn into a small mobile home park.

Commissioner Belk stated that she had concerns that proper procedures were not followed from the start and about the amount of time it would take to bring the campground into compliance as well as concerns about the expansion.

Commissioner Andrews voiced concerns about the problems that have taken place and have not been cleaned up and also that this site could expand and could be a different community than when the property was originally sold. Commissioner Andrews said that the roads are state roads and the dust is something that Mr. Keener has no control over. Commissioner Andrews added that according to the Planning staff, the campground is well operated. Commissioner Andrews stated that he is not in favor of expanding the establishment and he is not in favor of continuing the operation unless everything is brought up to standards and approved by the Planning staff. Commissioner Andrews would also like to have an evaluation period and have Mr. Keener return to the Board at a future time and if proven the campground is not a detriment to the area, he would consider an expansion at that time.

Commissioner Andrews made a motion to grant the conditional use permit as outlined with the conditions listed by staff.

Commissioner Andrews asked Mr. Lytle about establishing a time frame for compliance, in order not to shut down the current operation. Mr. Lytle recommended allowing 30 days to begin work. Under state building codes, Mr. Keener allows six months to begin work.

Commissioner Tadlock asked Mr. Lytle if this request were not approved, would Mr. Keener have to shut down the ten (10) units. Mr. Lytle responded that he would.

Commissioner Chamberlain seconded the motion for discussion

Chairman Blount stated that Mr. Keener should go through the proper steps for a conditional use permit for establishing a campground and he would have to oppose the request.

Commissioner Tadlock expressed mixed feelings about the needs for the people working at the Buck Steam Plant, but could not give support for someone not following procedures and not cooperating with staff.

After finding out that seven (7) of the ten (10) sites are occupied at the campground, Commissioner Chamberlain expressed concern for putting people out. Commissioner Chamberlain added that since Mr. Keener stated he would comply with the standards within 30 days, why not allow the people to stay, so they could continue to go to work.

Chairman Blount suggested giving them a two-month grace period. Chairman Blount stated if the conditional use permit is denied and then given a sixty-day grace period, Mr. Keener could go back through the process with no one in the park to be concerned about.

Mr. Lytle stated that if the request were denied, Mr. Keener would need to wait one year to reapply, but Mr. Lytle stated that the request could be “set aside” for a period of time reconsidered in sixty (60) days.

Commissioner Andrews asked to withdraw his motion.

Commissioner Andrews made a motion to “set aside” for sixty (60) days. Commissioner Chamberlain seconded and the motion carried unanimously.

Don Conner stated that if the request is “set aside,” Mr. Keener cannot apply for a permit and without a permit he cannot comply.

Commissioner Andrews made a motion to follow staff’s recommendation and give the approval of the ten (10) sites, not to be expanded past the ten (10) sites, and meeting all the considerations by staff and to bring up to date within thirty (30) days.

Chairman Blount stated that the motion is to grant the conditional use permit with the five (5) conditions listed by staff with the additional condition that it be brought up to code compliance within thirty (30) days. Commissioner Chamberlain seconded the motion and the motion passed on a 3/2 vote with Commissioners Blount and Belk voting against the motion.

Chairman Blount called for a break at 8:55 pm.

Chairman Blount reconvened the meeting at 9:10 pm.

PUBLIC HEARING FOR Z-17-01 FOR AMENDMENTS TO THE SIGN ORDINANCE:

Chairman Blount declared the public hearing for consideration of Z-17-01 to be in session and stated that the hearing would focus on the proposed County Sign Regulations.

The following came forward to address the Board:

1. Dorothy Earl, of 417 Primrose Drive stated that she believes in the property rights of individuals and lives in rural Rowan County to stay away from the restrictions imposed by government. Ms. Earl stated that signs do not harm anyone and she felt the Commissioners should not be so willing to sacrifice the property rights of citizens.
2. Steve Karriker, of 1925 Old Concord Road referred to the First Amendment of the United States Constitution, stating he feels personal property signs are a part of freedom of speech, and that signs relay information. Mr. Karriker stated that regulating signs is a violation of constitutional rights and is illegal. Mr. Karriker continued by saying he had spent time riding around various parts of Rowan County and the county did not appear to have a sign problem. Mr. Karriker felt

- that safety is not an issue for signs and the word “safety” is being used to undermine the freedom and rights of property owners. Mr. Karriker then challenged the Board of Commissioners to present statistics that support the fact that signs are unsafe in Rowan County. Mr. Karriker stated the safety issues for the travelers of Rowan County are the conditions of the roads and stated that efforts should be spent contacting the Department of Transportation on improving road conditions. Mr. Karriker stated that he felt he was speaking for a lot of people in Rowan County by saying the county does not need a sign ordinance.
3. Mary Hill, of 7940 Bringle Ferry Road, addressed a previous editorial in the Salisbury Post, which stated that the majority of Rowan County is ready to embrace the sign ordinance. Ms. Hill stated that she had only seen two (2) groups who were ready embrace the ordinance and those two (2) groups are people whom the ordinance will directly help - those already in political office and the Salisbury Post.
 4. Bill Earnhardt, of Gold Hill, stated he agreed with everything previously said during this hearing. Mr. Earnhardt continued by saying he has someone who would like to put up a sign in Gold Hill to advertise for a business in Lexington. Mr. Earnhardt was advised by the DOT that he could not proceed with this sign due to the moratorium by the county. Mr. Earnhardt felt he should be able to use his real estate to make money without restrictions.
 5. Terry Hill, 7940 Bringle Ferry Road, spoke against the sign ordinance. Mr. Hill stated that he owns two (2) small businesses and knows what it takes to start a business in a rural area. Mr. Hill continued by saying ads in the newspaper are costly and are not as effective as signs for attracting new business. Mr. Hill stated it would be a shame to take away rights that “don’t hurt nobody.”
 6. Steve Poteat, of 265 Quail Drive, explained that he sees the proposal as a gross infringement on property rights. Mr. Poteat stated that it is the duty of the government to protect. Mr. Poteat stated that there has been no crime committed and asked the Board to “let it go” and not impose any more regulations on the property owners.
 7. Paul Dziezyc, of 260 Quail Drive, stated that he felt there was no reason for the ordinance and questioned how the Board got to this point. Mr. Dziezyc felt the ordinance to be unconstitutional and stated that he hoped the Board would disapprove.

Commissioner Chamberlain questioned Mr. Dziezyc as to whether he felt Rowan County should have any kind of zoning. Mr. Dziezyc replied no.

With no further citizens wishing to speak, Chairman Blount closed the public hearing at 9:35 pm.

Chairman Blount suggested several modifications, which were striking items 1-4, on page 2, leaving items 5 and 6. Chairman Blount felt that item 6 should be changed to allow 45 days to remove political signs. Chairman Blount also suggested another condition under Section 7, items 1 and 2, to read that off premise signs not be allowed within 1000' of an existing residence.

Commissioner Andrews commended the Planning Board and the committees involved for the amount of work and the extensive research involved in the overall plan.

Commissioner Andrews stated that he personally had reservations with the sign ordinance and the "big push" on the sign ordinance was due to the billboard issue. Commissioner Andrews commented that he liked Chairman Blount's recommendation to eliminate political signs. Commissioner Andrews felt a major concern would be enforcement of the ordinance and stated the ordinance should stay focused on the billboards.

Commissioner Belk thanked the Planning Department and Planning Board for a great job and questioned the Board if there was a consensus to adopt the package.

Commissioner Belk made a motion to approve the Sign Ordinance as written with the modifications Chairman Blount had given and that off premise signs not be within 1000' of an existing residence.

Chairman Blount seconded the motion for discussion.

Chairman Blount stated that the ordinance as presented does not outlaw signs in Rowan County but controls the location and size to protect homeowners. Chairman Blount continued by saying the Planning Board had presented a fair ordinance and he supported the ordinance as presented with the modifications discussed.

Commissioner Andrews stated that he has studied the sign ordinance and that it is so involved, he feels he could not fully explain or respond to questions from citizens.

Upon being put to the vote, the motion failed 3-2, with Chairman Blount and Commissioner Belk voting in favor of the motion and Commissioners Andrews, Chamberlain and Tadlock against.

Commissioner Andrews made a motion to adjust the sign ordinance as presented and adopt the off premise signs and billboards and tie to main arteries in county and adopt the ordinance accordingly.

Chairman Blount questioned Marion Lytle as to how the Board of Commissioners could adapt the ordinance to Commissioner Andrews request. Mr. Lytle responded that the ordinance could include a definition for billboards and also state the billboards conditional uses to be governed by criteria to be placed in this section. Mr. Lytle stated he would rather look at these changes and come back to the Board.

Commissioner Chamberlain questioned making Section 6 of the ordinance to include the modification of the 1,000' for off premise signs.

Commissioner Andrews made a motion to adopt the off premise sign requirements discussed, dealing with signs of 100 square feet and over and dealing with the main arteries in the county, following the requirements laid out by the ordinance.

The Board discussed modifications to the Sign Ordinance emphasizing the control of off premise signs of more than 100'. Mr. Lytle was asked to return at the next Board meeting with these modifications for approval.

Commissioner Chamberlain seconded the motion. The motion passed unanimously.

Mr. Paul Dziezyc spoke out from the audience and was declared to be out of order by Chairman Blount.

UPDATE ON LANDSCAPING AT THE COURTHOUSE:

Ken Deal, Director of Administration, informed the board of a diseased oak tree in front of the courthouse. Mr. Deal stated that members of his staff had looked at the tree and he had also received a second opinion from Neff Tree Service concerning saving the tree. The firm agreed that the tree was beyond repair.

Chairman Blount stated the tree should be removed for safety purposes. The Board agreed by consensus for Mr. Deal to proceed with the lowest local bid for removal and to come back with suggestions for replacing the landscaping.

UPDATE ON THE PROGRESS OF RENOVATIONS TO THE 300 BLOCK OF NORTH MAIN STREET

Mr. Deal informed the Board of the status of the renovations of the proposed parking lot at the 300 block of North Main Street. Mr. Deal stated that all plans, applications and fees have been submitted to the City of Salisbury and the County is waiting for their approval.

Chairman Blount questioned Mr. Deal as to whether this site would tie back in to the Magistrates office. Mr. Deal responded that it would.

Commissioner Belk stated that her concern was a lack of handicapped parking spaces towards Liberty Street.

Mr. Deal informed the Board that the new location for the magistrate's office is under construction and reviewed these plans with the Board.

Commissioner Chamberlain stated that he visited this site and was amazed at what was being accomplished with such a small area.

APPROVAL OF A RESOLUTION IN SUPPORT OF RCCC:

Commissioner Tadlock made a motion to approve the resolution in support of Rowan Cabarrus Community College and requesting the State to reconsider funding. Commissioner Belk seconded and the motion passed unanimously.

PROPOSED REDUCTION IN CURRENT EXPENSE APPROPRIATION TO CHARTER SCHOOL:

Mr. Russell explained that the Board appropriates local current expense funding in accordance with the State Statutes and the funds from the Board to the charter school are funneled through the public school system. After speaking with the Institute of Government and the State Board of Public Instruction, staff was informed that the Statutes allow the county and the state, when a reduction in enrollment takes place in the charter schools, unlike in the public schools, to adjust the appropriations to charter schools based on the actual enrollment.

Mr. Russell stated that the annual reduction would be reduced from \$203,545 to \$102,361.

Commissioner Tadlock made a motion to accept the manager's recommendation. Commissioner Belk seconded and the motion passed unanimously.

OLD BUSINESS:

Super 8 Motel and Past Taxes Update:

Commissioner Chamberlain asked for an update on Mr. Beaver from Super 8 Motel. Mr. Russell stated that Mr. Holshouser, County Attorney, has filed suite. Mr. Holshouser stated that the motel is in the process of changing hands and the new owner has the lawsuit in his hands.

East Spencer Update:

Commissioner Chamberlain asked staff if any of the newly elected officials in East Spencer had contacted Rowan County. Mr. Russell stated that they had not. Ms. Heidrick, Finance Director, added that they had not contacted her either, but she is aware that the new mayor and one of the aldermen from East Spencer did meet with Vance Holloman, from the LGC (Local Government Commission) for approximately three hours recently.

PUBLIC COMMENT PERIOD:

Chairman Blount opened the public comment period to entertain comments from those in attendance.

There being no citizens who wished to address the Board, Chairman Blount closed the public comment period.

MORATORIUM:

Commissioner Belk made a motion to let the billboard moratorium expire on December 3, 2001 and allow the new sign ordinance to be effective on December 3, 2001.

Commissioner Tadlock seconded the motion and the motion passed unanimously.

Chairman Blount recessed the meeting to go into Closed Session at 10:10 p.m. to discuss the purchase of property.

Chairman Blount reconvened the meeting back into Open Session.

There being no further business, Chairman Blount adjourned the meeting at 10:20 p.m.

Respectfully Submitted,

Rita K. Foil
Clerk to the Board